

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

OUYEINC LTD.,

Plaintiff,

v.

ALUCY et al.,

Defendants.

Case No. 20-cv-03490

Judge Robert W. Gettleman

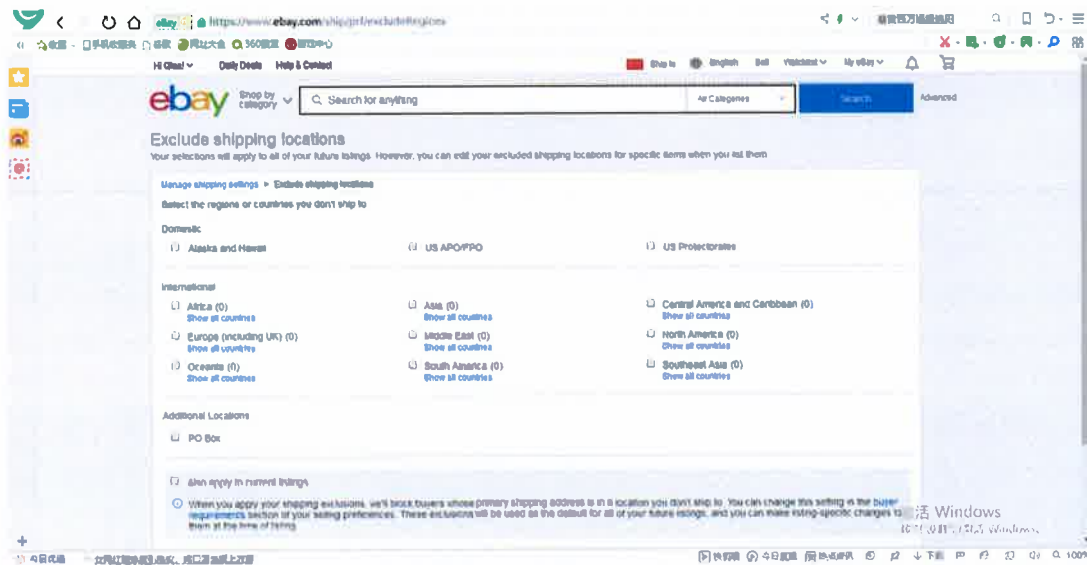
Declaration of Lijia Chen

DECLARATION OF LIJIA CHEN

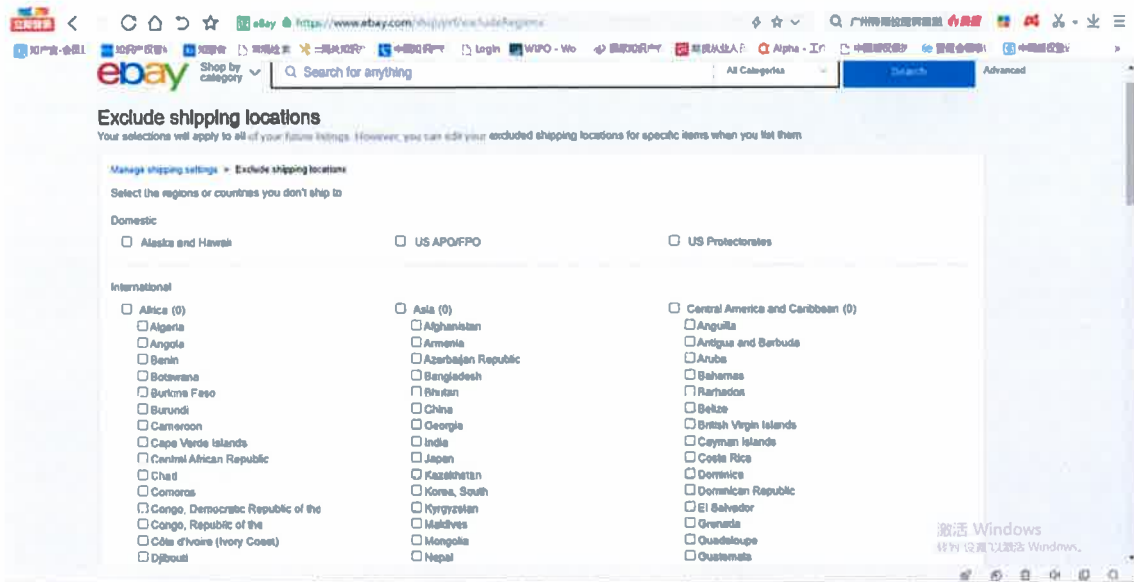
I, Lijia Chen, declare and state as follows:

1. This declaration is based upon my personal knowledge of the facts stated herein or on business records that were made at the time or in the regular course of business. If called as a witness, I could and would testify to the statements made herein.
2. I am a trademark attorney at the law office Beijing NTD Law Office, located in Beijing, China. I graduated from Renmin University of China with an LLM degree in 2013, and from Southwest University of Political Science and Law with a Bachelor of Laws in 2010. I have extensive experience in counseling clients on a full range of trademark and copyright law issues, including anti-counterfeiting matters, advising on unfair competition, trade secret, advertising, social media, and e-commerce law, and litigating intellectual property cases. I reside in Beijing, China, and I am fluent in both Chinese and English.
3. I created an online seller account at eBay.com and began the process of listing an item for sale ("eBay"). Attached hereto as **Exhibit 1** are true and correct copies of screenshots I took illustrating the registration process for an eBay seller account and listing a product for sale.
4. After creating the eBay account, I clicked on the hyperlink "Account Settings." After clicking on "Account Settings," I was navigated to a "My eBay" page. I then clicked on the "Site Preferences" hyperlink under "My eBay Views." After clicking on the "Site Preferences" hyperlink, options for "Selling Preferences" were displayed, including an option for "Shipping preferences." I clicked on the "Show" hyperlink to show the "Shipping preferences" options.

5. After clicking the “Show” hyperlink, a list of preferences that could be edited were displayed. This included “Exclude shipping locations from your listings.” I clicked on the “Edit” hyperlink.
6. After clicking the “Edit” hyperlink, I was navigated to an “Exclude shipping locations” page. The page instructed me to “Select the regions or countries you don’t ship to.” See *Figure 1 and Figure 2 below, Exhibit 1 at p.6*. The page displayed a number of regions and countries with checkboxes next to each. I could check regions and countries to exclude.

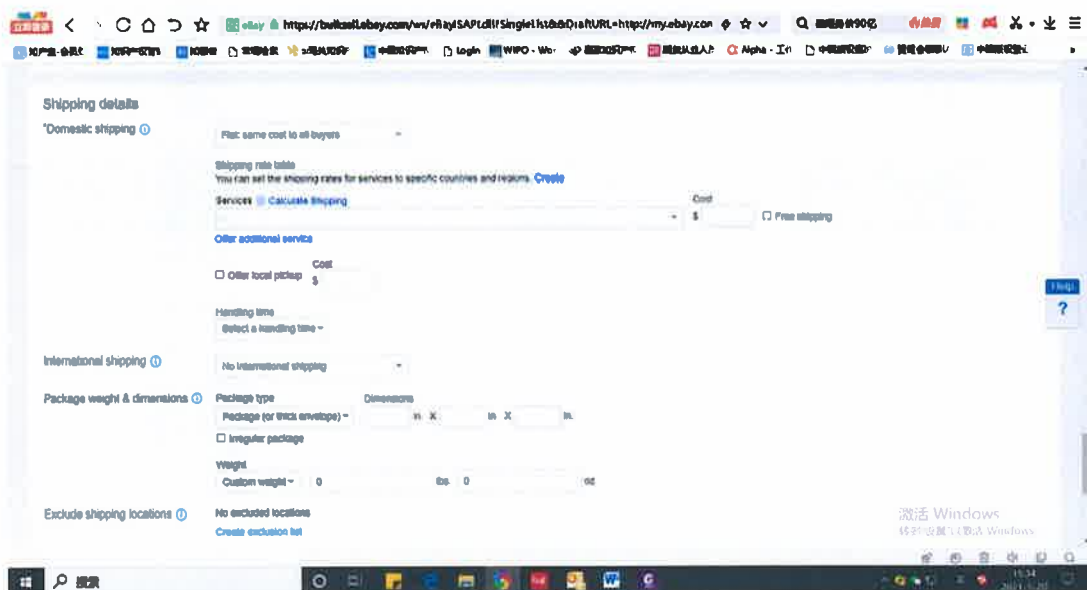


(Figure 1)



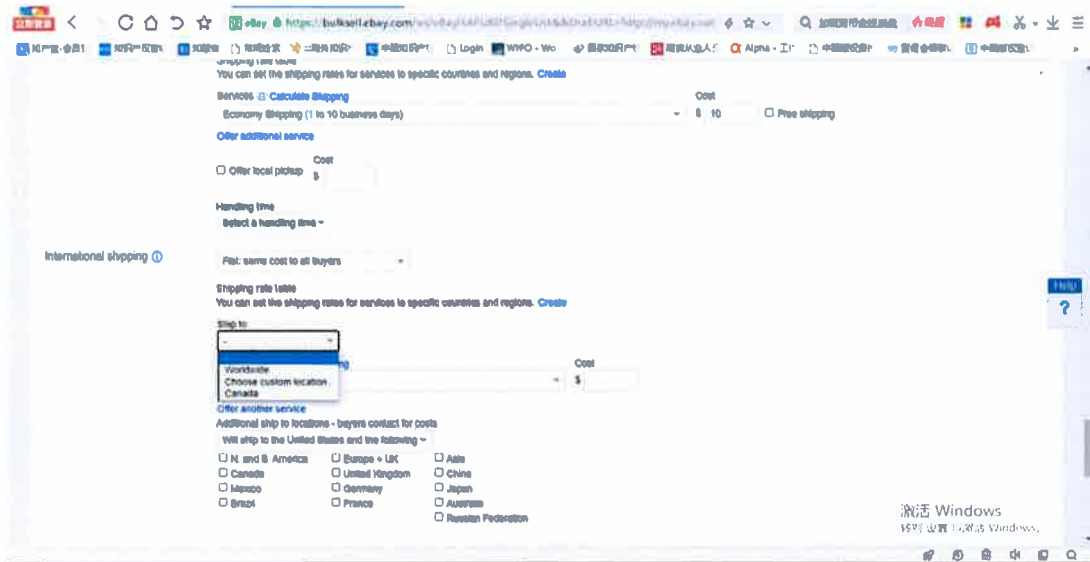
(Figure 2)

7. Shipping settings can also be set for each item listed for sale. I clicked on the “Sell” hyperlink from the eBay home page. After navigating through several options regarding the product I was listing for sale, I was navigated to a “Create your listing” page which had a section titled “Shipping details.” See Figure 3 below, Exhibit 1 at p.9.

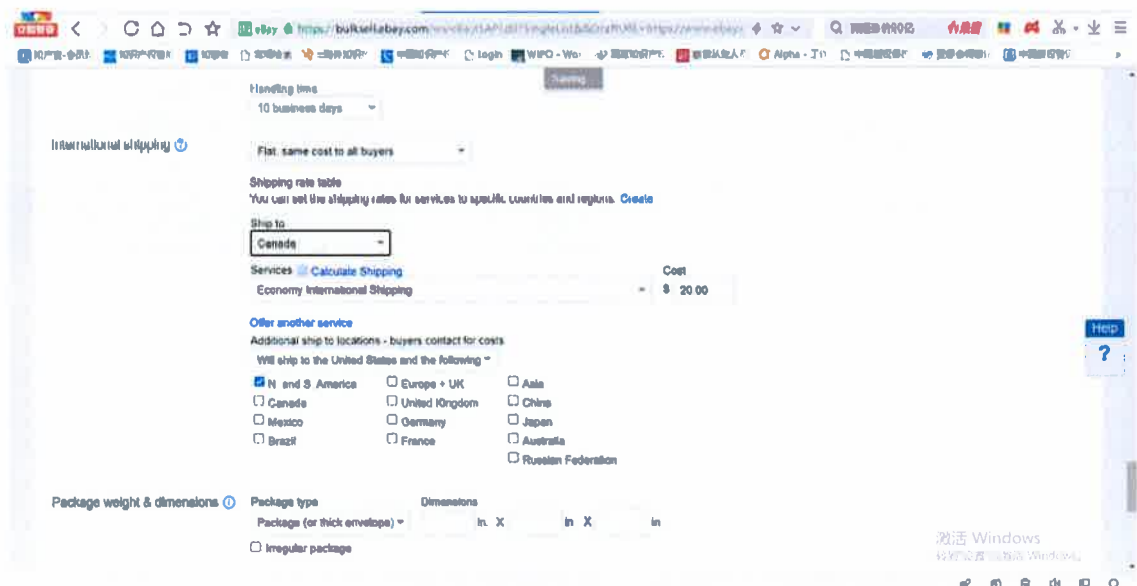


(Figure 3)

8. Under “International shipping,” I could choose whether the item would be shipped Worldwide, “Choose custom location,” or to Canada. I was able to choose to ship to the United States. See Figure 4 and Figure 5 below, Exhibit 1 at p.10.



(Figure 4)



(Figure 5)

9. I also accessed eBay's International selling policy which states that "[g]iven the nature of eBay's global marketplace, your eBay listings may be viewed and purchased by, and shipped to, buyers around the world." Further, "[i]f your item sells, you will be bound by the User Agreement and policies, including any buyer protection policies, of the site on which the item is sold and, potentially, the laws of the country of the relevant site." If an item is sold to a buyer on eBay.com, "you agree to be subject to the User Agreement" of eBay.com." **Exhibit 2** attached hereto is a true and correct copy of eBay's International selling policy.
10. I also accessed the User Agreement for eBay.com, which states that "[s]ellers and buyers are responsible for complying with all laws and regulations applicable to the international sale, purchase, and shipment of items." **Exhibit 3** attached hereto is a true and correct copy of the User Agreement for eBay.com.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this the 21st day of May 2021 at Beijing, China.

Lijia Chen

A handwritten signature in black ink, appearing to read "Lijia Chen", is written over a horizontal line.